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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,605	02/09/2001	Kazumi Miyamoto	01029	5732

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EXAMINER

PRASAD, CHANDRIKA

ART UNIT PAPER NUMBER

2839

DATE MAILED: 05/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,605

Applicant(s)

MIYAMOTO ET AL. 

Examiner

Chandrika Prasad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

1. The reply filed on 04/25/02 consists of amendments to claim 5 and remarks related to rejection of claims. The claims are not allowable as explained below.

Specification

2. The following is a quotation of an appropriate paragraph of 37 CFR 1.75:

(d) The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. (See 1.58(a)).

3. Specification is objected under 37 C.F.R. 1.75(d) because the branch portion overlapped with each other in a plane perpendicular to the plane of the branch portion has not been described in the specification.

Claim Objections

4. Claims 4-5 are objected to because of the following informalities:

- Claim 5, line 9: "in" should be changed to -- into --.
- Claim 5, line 14: "in" should be changed to -- into --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claim 5 recites the branch portion overlapped with each other, which is not clear. What elements are being referred by each other?
- Claim 5 recites the limitation "the plane" in lines 10-11. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (AAPA) in view of Ford, Cherian et al. and Scheingold et al.

AAPA (Figures 3-4 of the instant invention) shows an electromagnetic sound generator with a pair of spring plates coated with nickel and having a base end connecting portion 24, an intermediate portion, a branch portion making an L-shape with the intermediate portion and extending into a head end connecting portion. But AAPA does not show the branch portion of one spring plate extending away from the other plate, the branch portion turned into an U-shape, the head end connecting portion

turned into an U-shape, and gold plating at the head end and the base end connecting portions. The instant invention does not provide any reasons or problems to be solved by having the branch portion of one spring plate extending away from the other plate, the branch portion turned into an U-shape, the head end connecting portion turned into an U-shape, and gold plating at the head end and the base end connecting portions. These features are well known in the art of electrical connections.

Ford (Figure 6) shows branch portion 176 of one terminal extending away from another terminal. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide such a feature to the AAPA's branch portion because this would facilitate non-interfering electrical connections as taught by Ford (see Column 10, lines 59-61).

Scheingold (Figures 2-3) shows a terminal 32 with branch portion and head portion turned into U-shapes. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to turn the branch and head end connecting portions into U-shapes because this would provide more flexible terminals with large deflective capabilities with reasonable load and stress as taught by Scheingold (see Column 2, lines 7-10).

Cherian (Figures 2-3) shows a terminal 18 with terminal ends coated with gold. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide such a feature to the AAPA's terminals because of gold's good conductive and non-corrosive properties as is well known and shown by Cherian.

Response to Arguments

9. Applicant's arguments filed 04/25/02 have been fully considered but they are not persuasive and are moot in view of the new ground(s) of rejection. The instant invention does not provide any reasons or problems to be solved by having the branch portion of one spring plate extending away from the other plate, the branch portion turned into an U-shape, the head end connecting portion turned into an U-shape, and gold plating at the head end and the base end connecting portions. These features are well known in the art of electrical connections. Ford provides a motivation for the branch portion of one terminal to extend away from the other terminal and Scheingold shows the advantages for terminal portions having an U-shape as described in Paragraph 8 above.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

11.. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad whose telephone number is (703) 308-0977.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus, can be reached at (703) 308-3119. The fax number for this Group is (703) 872-9318 (general) and (703) 872-9319 for after-final.

Any inquiry of a general nature or relating to the status of this application or processing should be directed to the Group receptionist whose telephone number is (703) 308-1782.



Chandrika Prasad

May 8, 2002



BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
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